

November 14, 2022 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, November 14, 2022, 6:00 p.m. at Town Hall.

Present: Mayor Sam Bishop, Commissioners Cicely McCulloch, Robert Ball, Jeff Eidson, Will Gwyn and Alvin Hayes.

Also present: Town Manager Brent Cornelison, Assistant Town Manager and Recreation Director Adam McComb, and Town Clerk Cathie Tilley. (Absent: Town Attorney Raymond Parker to attend the Surry County Planning Board meeting.)

Mayor Bishop welcomed everyone and called the meeting to order. He asked Police Chief Monroe Wagoner to lead our Pledge of Allegiance.

CONSENT AGENDA

The following items were presented for the consent agenda:

- Minutes of October 10, 2022 (Regular Meeting)
- Tax Releases and Discoveries (included as Exhibit A)

There were no questions regarding the Consent Agenda. A motion by Commissioner Eidson to approve the Consent Agenda was seconded by Commissioner McCulloch, and was unanimously approved.

SPECIAL RECOGNITION

Mayor Bishop:

- Attended the Veterans Day Assembly presented by the Elkin High School JROTC on November 9th held at Dixon Auditorium.
 - o Recognized from the Town of Elkin were:
 - Sergeant Scott Sanders – Police Officer of the Year
 - Ethan Williams – Firefighter of the Year
 - Ethan Baker – EMT and Firefighter of the Year
 - Police Chief Monroe Wagoner and Fire Chief Kevin Wilson were recognized for their service to the Town of Elkin
 - Together they have over 85 years' service with the Town

PUBLIC COMMENTS

- Mayor Bishop opened the Public Comments period and asked for anyone wanting to speak to come forward.
 - o There being no comments, Mayor Bishop closed the Public Comments period.

MAYOR AND BOARD COMMENTS FOR STAFF

- Commissioner Ball:
 - o Expressed appreciation to Leslie Schlender and Sarah Harris for the 'one-stop-shop' that has speeded up the town's permitting process.

- Commissioner Gwyn:
 - o Welcomed Alvin Hayes as a member of the Board of Commissioners.
- Mayor Bishop:
 - o Expressed appreciation to town staff for all they do.
 - o Read a note of appreciation from the daughter and family of former Commissioner Tommy Wheeler.

PUBLIC HEARING

1. Conduct a Public Hearing and Review Rezoning Application for Parcel ID: 4941-12-87-5194 Located on East Pleasant Hill Drive (Sarah Harris)

- This request is to rezone property located on East Pleasant Hill Drive (parcel number 4941-12-87-5194) from LDR Low Density Residential District to HB Highway Business District.
- Andrew Couch (has leased this property from Jeff Johnson) submitted an application on September 29, 2022, to rezone the property to allow construction of a Motor Vehicle Shop.
- Public Hearing was advertised in *The Tribune* October 27, 2022 and November 3, 2022.
- Letters were mailed to adjacent property owners October 26, 2022.
- Planning Board reviewed the request October 24, 2022, and found the application is not fully consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plan; therefore, their motion recommends approval by the Town of Elkin Board of Commissioners for rezoning property along East Pleasant Hill Drive with the condition that the property owner acquires a driveway permit from NCDOT for a commercial driveway cut off Highway 268 Bypass/CC Camp Road prior to the beginning of any construction.
- This is a legislative hearing, and anyone may speak.
 - o Anyone speaking needs to state their name and address for the record.
- Mayor Bishop opened the Public Hearing for comments, and asked if anyone was in attendance to speak in favor of or against this request.
 - o Jack Partin, 210 West Main Street, Elkin, NC:
 - Am a little surprised and somewhat confused by this matter.
 - Several years ago, NCDOT assured the Town that the bypass property along the grassed median would remain off limits for driveways.
 - The Board of Commissioners at that time were happy with the Residential zoning of that property.
 - Have been working trying to get residential property developed.
 - Am concerned about this property becoming a Business District when we do not have many places for residential properties.
 - Believes a driveway cut in this area could open a can of worms.
 - o Andrew Couch, Dobson, NC:

- Along with property owner, Jeff Johnson, hope my automotive shop will open this area up for more businesses.
 - Have an easement onto East Pleasant Hill Drive until I can get a driveway onto CC Camp Road.
 - This is where we are.
 - Cannot put a business there if it is not rezoned for businesses.
 - There being no other speakers, Mayor Bishop closed the Public Hearing.
- There was much discussion including but not limited to:
 - Town only notified adjoining property owners of this matter (as required).
 - This is not spot zoning.
 - There will be buffers and screening around this business.
 - We are following our Land Use Plan.
 - This would allow for commercial development in an undeveloped corridor, will improve a gateway and will encourage infill development.
 - Would like public discussion opportunities at Planning Board meetings.
 - Planning Board is not required to have a Public Comments period at meetings.
 - Concerns regarding driveway.
 - Board of Commissioners can direct the Planning Board to provide a Public Comments period at their meetings.
 - Planning Board used to have public input at its meetings.
 - This item can be sent back to the Planning Board to revisit and make a recommendation.
- Following much discussion, Commissioner Ball made a motion to send this item back to the Planning Board for additional discussion and to allow public input on this matter. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved.

This concluded the public hearing.

REGULAR MEETING

1. Consider Proposed Conditions for Windsor Homes Project (Sarah Harris)

- Joining this portion of our meeting by telephone were David Michaels and Ben Howard.
- Since this property has been rezoned to MDR-CD Medium Density Residential Conditional District, it is time to place conditions for this project.
- Planning Board recommends the following conditions:
 - Setbacks:
 - Front Yard – 20 feet
 - Side Yard – 15 feet
 - Rear Yard – 10 feet
 - Corner – 15 feet

- Landscaping buffers: Type B and C as presented on site plan submitted October 17, 2022 (copies included as Exhibit B) and as noted in the ordinance being presented for Board consideration at this meeting (Ordinance Book 5, Pages 2022-11-0125 through 2022-11-0127).
- Staff recommends the Board of Commissioners place the condition that streets will be taken over by the Town of Elkin once development is complete and streets meet NCDOT standards.
- Commissioner Eidson requested to be recused from this portion of the meeting. Commissioner McCulloch made a motion to recuse Commissioner Eidson from the meeting due to a possible conflict of interest. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved.
- Commissioner McCulloch made a motion to approve an Ordinance Adding Conditions to the Property Described with the Zoning Classification of Medium Density Residential Conditional District. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved. (Copy of ordinance may be found in Ordinance Book 5, Pages 2022-11-0125 through 2022-11-0127.)

Mayor Bishop welcomed Commissioner Eidson back to the meeting.

2. Review the Critical Watershed Areas (Sarah Harris)

- Presented as information to the Board.
 - Will help with understanding the location and size of the critical watershed area when this topic is being discussed. (Copy included as Exhibit C.)

3. Consider a Request for a Crosswalk in Downtown (Town Manager Cornelison)

- This request came from the Yadkin Valley Community School.
- Both the Town and the Main Street Advisory Board have looked at possible locations and agree on the following:
 - An area near the intersection of East Main Street and Standard Street.
 - Two areas where there are already curb cuts:
 - From 222 East Main Street across to 204 East Market Street
 - From 316 East Main Street across to the parking lot
- Will still look at one in the area of the intersection to allow safer access to the General Store and the Arts Council.
- Following discussion, Commissioner McCulloch made a motion to approve a crosswalk from 222 East Main Street to 204 East Market Street. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved.

4. Consider A Proposal from Yadkin Valley Railroad to Enhance both Town-Owned Railroad Crossings (Town Manager Cornelison)

- Reminded Board members about the recent broken rail at the railroad crossing near the Yadkin Valley General Store.
- Representatives from the railroad have offered to repair both railroad crossings in Elkin if the Town pays for the materials.

- Costs for materials will be:
 - o \$27,151.80 for the crossing near the Yadkin Valley General Store
 - o \$30,320.00 for the crossing near Harrys
- Following discussion, Commissioner McCulloch made a motion for the Town of Elkin to pay from the General Fund fifty-seven thousand, four hundred, seventy-one dollars and eighty cents (\$57,471.80) for materials to repair both railroad crossings in Elkin with the understanding that Yadkin Valley Railroad will install/repair the crossings at no cost to the Town of Elkin. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved.

COMMISSIONS AND BOARDS

- Minutes included in agenda packet:
 - o Elkin Main Street Advisory Board
 - August 16, 2022
 - o Recreation and Parks Advisory Board
 - September 15, 2022

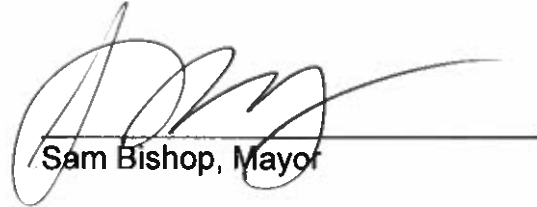
MANAGER UPDATES

- Updates given on the following:
 - o The Chamber of Commerce and Library approved their lease agreements.
 - o The Memorandum of Understanding between the Town of Elkin and the Elkin Vine Line will be taken over by the Yadkin Valley Chamber of Commerce.
 - This will work better for everyone, and the Chamber of Commerce is in favor of this arrangement.
 - o Showed before and after pictures of the Urgent Care facility located on CC Camp Road to illustrate the differences in appearance since approval of our Unified Development Ordinance.
 - o Commissioner Ball requested Board Meeting Packets be in color rather than black and white.
 - o December meeting:
 - There will be a reception at 5:30 p.m. to honor the recently re-elected Board members with our meeting starting at 6:00 p.m.
 - Pictures of Board members will be taken prior to the meeting.
 - Oaths of office will be administered to recently re-elected members during the meeting.

Mayor Bishop said the Board needed to go into closed session pursuant to GS143-318.11(a)(4) and (6) to discuss an economic development matter and to consider a personnel matter. Action will be taken following the closed session. Upon a motion by Commissioner Gwyn to go into closed session and a second by Commissioner McCulloch, the motion was approved. The Board left open session at 6:55 p.m.

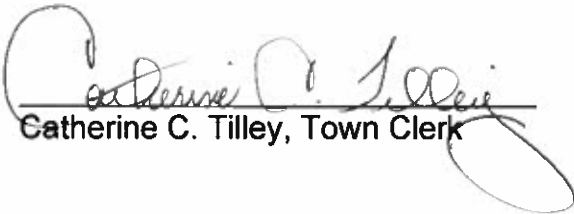
The Board returned to open session at 7:25 p.m. Mayor Bishop reconvened the meeting. Commissioner Eidson made a motion to increase the Town Manager's salary to one hundred, six thousand, six hundred dollars (\$106,600.00) effective today. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.

There being no further business, Commissioner Ball made a motion to adjourn. Upon a second by Commissioner Gwyn, the motion was unanimously approved. The meeting adjourned at 7:25 p.m.



Sam Bishop, Mayor

Attest:



Catherine C. Tilley, Town Clerk